

1 EDMUND G. BROWN JR.  
Attorney General of the State of California  
2 DANE R. GILLETTE  
Chief Assistant Attorney General  
3 GERALD A. ENGLER  
Senior Assistant Attorney General  
4 PEGGY S. RUFFRA  
Supervising Deputy Attorney General  
5 CATHERINE A. RIVLIN, State Bar No. 115210  
Supervising Deputy Attorney General  
6 455 Golden Gate Avenue, Suite 11000  
San Francisco, CA 94102-7004  
7 Telephone: (415) 703-5977  
Fax: (415) 703-1234  
8 Email: Catherine.Rivlin@doj.ca.gov  
Attorneys for Respondent

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10  
11 IN THE UNITED STATES DISTRICT COURT  
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA

13 **RICKY RENEE SANDERS,**

Petitioner,

14  
15 v.

16 **JAMES E. TILTON, Warden,**

Respondent.

C 08-2485 PJH (PR)

**APPLICATION FOR  
ENLARGEMENT OF TIME  
TO FILE ANSWER OR  
RESPONSIVE MOTION**

19 For the reasons stated in the accompanying declaration of counsel, respondent hereby  
20 requests a 30-day enlargement of time until September 15, 2008, within which to answer the petition  
21 for writ of habeas corpus in this case or file any other appropriate motion. As explained in the  
22 declaration, counsel for respondent has obtained the state court appellate record and has requested  
23 the remaining state court record for lodging, but has been burdened by earlier-assigned cases. A  
24 stipulation has not been sought because petitioner is an incarcerated state prisoner who is  
25 representing himself.

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Application for Enlargement of Time

*Ricky Renee Sanders v. James E. Tilton, Warden*  
C 08-2485 PJH (PR)

1 WHEREFORE, respondent respectfully requests that this Court grant an extension of time  
2 to and including September 16, 2008, in which to file the answer.

3 Dated: August 7, 2008

4 Respectfully submitted,

5 EDMUND G. BROWN JR.  
Attorney General of the State of California

6 DANE R. GILLETTE  
Chief Assistant Attorney General

7 GERALD A. ENGLER  
Senior Assistant Attorney General

8 PEGGY S. RUFFRA  
Supervising Deputy Attorney General

9  
10  
11 /s/ Catherine A. Rivlin

12 \_\_\_\_\_  
CATHERINE A. RIVLIN  
13 Supervising Deputy Attorney General  
14 Attorneys for Respondent

15 Sanders Appl for EOT.wpd  
16 SF2008200102

**DECLARATION OF SERVICE BY U.S. MAIL**

Case Name: ***Ricky Renee Sanders v. James E. Tilton, Warden*** No.: **C 08-2485 PJH (PR)**

I declare:

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar, at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service that same day in the ordinary course of business.

On August 8, 2008, I served the attached:

**1. APPLICATION FOR ENLARGEMENT OF TIME TO  
FILE ANSWER OR RESPONSIVE MOTION;  
2. DECLARATION COUNSEL IN SUPPORT OF SUPPORT OF  
APPLICATION FOR ENLARGEMENT OF TIME; and 3. ORDER**

by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the internal mail collection system at the Office of the Attorney General at 455 Golden Gate Avenue, Suite 11000, San Francisco, CA 94102-7004, addressed as follows:

Ricky Renee Sanders  
SPN# V-26524  
Central Valley MCCF  
P.O. Box 458  
McFarland, CA 93250

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on August 8, 2008, at San Francisco, California.

J. Espinosa

Declarant

/s/ J. Espinosa

Signature

1 EDMUND G. BROWN JR.  
Attorney General of the State of California  
2 DANE R. GILLETTE  
Chief Assistant Attorney General  
3 GERALD A. ENGLER  
Senior Assistant Attorney General  
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11 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
12

13 **RICKY RENEE SANDERS,**

14 Petitioner,

15 v.

16 **JAMES E. TILTON, Warden,**

17 Respondent.  
18

C 08-2485 PJH (PR)

**DECLARATION OF COUNSEL IN  
SUPPORT OF APPLICATION FOR  
ENLARGEMENT OF TIME**

19 I, Catherine A. Rivlin, declare under penalty of perjury as follows:

20 I am the California Supervising Deputy Attorney General assigned to handle the above-  
21 encaptioned case. I have obtained the appellate file and requested additional state records. I was  
22 the responsible deputy on the direct appeal, am also assigned the case of co-defendant Ceriaco  
23 Cabrellis, now pending as *Ceriaco Cabrellis v. M. C. Kramer, Warden*, in case number C 08-1785  
24 JSW, and thus have familiarity with the case, issues, and facts. However the press of earlier assigned  
25 cases has prevented my devoting substantial attention to this case to date. In the most recent 30  
26 days, I have been out of the office from July 4 through July 15, 2008, and filed respondent's (or  
27 appellee's) briefs in *People v. Parker*, A117498, and *Joseph v. Kane*, 07-15224. In addition to a full  
28 caseload, I manage a team of eleven attorneys and paralegals and critically review/edit every

Decl. of Counsel in Supp. of Appl. for Enl. of Time

*Ricky Renee Sanders v. James E. Tilton, Warden*  
C 08-2485 PJH (PR)

pleading they draft. I have not attempted to contact petitioner, who is representing himself in this proceeding, because he is incarcerated in state prison and cannot be conveniently reached.

I declare under penalty of perjury of the laws of the State of California and the United States of America that the foregoing is true and correct. Executed at San Francisco, California on August 7, 2008.

Respectfully submitted,

EDMUND G. BROWN JR.  
Attorney General of the State of California

DANE R. GILLETTE  
Chief Assistant Attorney General

GERALD A. ENGLER  
Senior Assistant Attorney General

PEGGY S. RUFFRA  
Supervising Deputy Attorney General

/s/ Catherine A. Rivlin

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CATHERINE A. RIVLIN  
Supervising Deputy Attorney General  
Attorneys for Respondent

sandersfheotdec.wpd  
SF2008200102

**DECLARATION OF SERVICE BY U.S. MAIL**

Case Name: ***Ricky Renee Sanders v. James E. Tilton, Warden*** No.: **C 08-2485 PJH (PR)**

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J. Espinosa  
Declarant

/s/ J. Espinosa  
Signature

1  
2  
3  
4  
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6  
7 IN THE UNITED STATES DISTRICT COURT  
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
9

10 **RICKY RENEE SANDERS,**

11 Petitioner,

C 08-2485 PJH (PR)

**ORDER**

12 v.

13 **JAMES E. TILTON, Warden,**

14 Respondent.  
15

16 GOOD CAUSE APPEARING, it is hereby ordered that respondent may have until  
17 September 16, 2008, to file an answer to, or responsive motion regarding, the petition for writ of  
18 habeas corpus. Petitioner may file and serve a traverse, if any, within thirty (30) days of his receipt  
19 of the answer. He may file and serve an opposition or statement of non-opposition within thirty (30)  
20 days of his receipt of a motion to dismiss, if any.

21 **IT IS SO ORDERED.**  
22

23 DATED: \_\_\_\_\_

\_\_\_\_\_  
PHYLLIS J. HAMILTON  
United States District Judge  
24  
25  
26  
27  
28

**DECLARATION OF SERVICE BY U.S. MAIL**

Case Name: ***Ricky Renee Sanders v. James E. Tilton, Warden*** No.: **C 08-2485 PJH (PR)**

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J. Espinosa  
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/s/ J. Espinosa  
Signature